

**REMEMBERING S. P. SATHE**

**THE 10<sup>TH</sup> NATIONAL MOOT  
COURT COMPETITION 2016**

19 – 21 FEBRUARY 2016

**MOOT PROPOSITION**



**INDIAN LAW SOCIETY**

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## ACKNOWLEDGMENT

The moot problem for the 10<sup>th</sup> Remembering S.P. Sathe Memorial National Moot Court Competition, 2016 has been drafted by **Daksha Chouksey** and **Akash Katawati**, V BSL LLB, ILS Law College, Pune.

During the course of drafting this problem they had the constant support and guidance of **Dr. Deepa Paturkar**, Assistant Professor, ILS Law College and Adv. **Rishikesh Ganu**, practicing advocate.



### **DISCLAIMER:**

- The facts stated in the present case are fictitious and have been drafted solely for the purposes of the competition. The Facts, names, locations and dates bear no resemblance to any person, event or happening whether dead or alive. Any resemblance, if any found is purely co-incidental.
- Facts are not to be disputed and no additions can be made to the existing facts.
- No additional evidence or witness testimonies can be brought on record by any team for the purposes of the moot. Failure to adhere to the same will result in disqualification.
- The real names used in the problem are specifically for the purposes of the moot. No real incidents can be attached to them.
- This problem does not intend to hurt the feelings of any section of society or to offend any person.
- The CCTV image and the Video in this problem have been specially edited to fit the needs of the problem. It bears no resemblance or connection to any person living or dead.

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ILS LAW COLLEGE, PUNE

In the High Court of Bombay, at Mumbai

Case No. 1217 of 2016

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State of Maharashtra

....Prosecution

v.

Neha Mittal

Pankaj Mittal

Aloknath Kale

... Accused

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ILS

## STATEMENT OF FACTS

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1. Kamini Karia (deceased); a lawyer was married to Mr. Nishant Karia, a leading businessman for the last twelve years and out of the wedlock was born a son, Aryan Karia, ten years old. She was living with her husband and son at their marital home since marriage. They recently shifted to a new house in Koregaon Park, “HERMES VILLA” and have been living there a little over a year. She was one of the youngest to be promoted to partner in one of India’s emerging law firms “Hobb & Green - Attorneys”. Everyone loved Kamini and she was known for her gentle and soft-spoken nature.
2. Neha Mittal (Accused No. 1), cousin of Kamini was her father’s brother’s daughter. She was married to Pankaj Mittal, an engineer. Neha and Kamini shared amicable relations between them as they had both grown up together. Over the years, this sisterly relationship also manifested itself into a fiduciary one wherein Kamini lent money to her sister to help in her catering business, “Herbs & Spices Catering Co.”. On 12/06/2004 as a part of one such transaction, Neha, while promising to return the sum within four months, borrowed a sum of Rs. 20,00,000/- (Rupees Twenty Lakhs) from Kamini to invest in her business.
3. Months passed, but there was no mention of the borrowed sum. In spite of several reminders and follow-ups, the sum yet remained unpaid. Every time there would be a reason as to why it was not possible for Neha to return the borrowed sum to Kamini. Business was a little low due to the sudden mushrooming of competition around and Neha was finding it very difficult to sustain her catering business without the influx of additional funds. On 31/01/2005 Neha convinced Kamini, against the wishes of Nishant, into investing another Rs. 30, 00,000/- (Rupees Thirty Lakhs) into the business and promised to repay it at the earliest.

4. History repeated itself and yet again, Kamini was left disappointed at the fact that she had not received the money that was owed to her. There were frequent disagreements and arguments between Nishant and Kamini and finally it was mutually decided that this would be the last time they would lend money to Neha. Over a family dinner one night on 27/3/2005, a final ultimatum was given to Neha to pay the money due to them by September as they required it for the purposes of remodeling their house.
5. Feeling hurt at the insults and the way she was treated, Neha was to have her revenge. Thus, on 9/9/2005, Neha called up Kamini and requested her to visit her at her residence at Citadel Towers, N.I.B.M Road, Pune at 8 pm that day. Neha mentioned that she was happy that business had been peaking in recent times. A meeting was fixed and Kamini immediately called up Nishant and informed him about this meeting. The conversation went at length and they concluded by saying that they had been too hard on Neha during the dinner and that she was a nice person.
6. One month later, on 10/10/2005 Kamini's highly decomposed body was found in the Malshej Ghats which forms a part of the Western Ghats located on the Pune Nashik highway (NH 50).
7. Going back to 9/9/2005, Kamini wrapped up her office work and left from her office by 7:15 pm. Citadel towers was approximately twenty minutes away but with traffic this journey could stretch up to thirty minutes on an average. She called up Nishant and told him that she was on her way to Citadel Towers and had just crossed Henny's Waffle Hut, a famous eatery and landmark of Wanowrie (Pronounced as 'wah-now-ree'). She expressed her concern regarding the money and said that she was hoping to receive at least a part of the lent amount considering that Neha's business had picked up. She further added that she would call him up once she was leaving from there. This was the last phone call recorded by the phone company that was made from Kamini's number.

8. It had been half past midnight and Nishant had begun to grow worried as Kamini had not yet returned home. It was not like her to not inform him in case of a delay. He knew at that instant that something was not right. He called up Neha to ask about the whereabouts of Kamini to which Neha replied that Kamini had never reached her residence at the decided time so she thought that their meeting had been cancelled. He then called up her parents, Usha and Vinod Singh and inquired if Kamini had come to their residence which was at Viman Nagar, Pune. Knowing that no one had heard from Kamini, her parents were visibly disturbed so the entire family decided to meet at their residence.
9. It was concluded that this was unusual behavior and that a missing person's complaint needed to be filed. It was at this time that the much silent Neha began convincing everyone against filing a complaint as Kamini could have been stuck up in some important work. Not having heard from Kamini even after thirty six hours since her disappearance, Nishant along with Usha and Vinod filed a missing person's complaint on 11/09/2005. They also informed the police that Kamini's car, a 2002 model of the Hyundai i10, silver colour, bearing number MH 12 HZ 30421 which was driven by her was also missing.
10. The investigation started on 12/09/2005 with the police questioning the family members regarding the last known whereabouts of Kamini. Nishant was considered a suspect but he was soon ruled out once he established his alibi. He also told them that the last person to have possibly seen Kamini was Neha as they had been scheduled to meet that evening. When the police questioned Neha and Pankaj regarding their scheduled meeting with Kamini, they were very evasive and told the police that Kamini never visited them that evening.

11. On 25/09/2005, the police located Kamini's missing car, which had been left abandoned on the Pune-Nashik highway. After a thorough search of the car the police forensic team recovered hair like fibers stuck to the carpet in the boot of the car. These fibers were then sent for examination to the laboratory.
12. The investigation then led to the office of the deceased wherein the Secretary, Priya, was questioned on 05/10/2005. She revealed that Kamini had once told her that if in case there would be a day when she does not return for a long period of time and no contact could be established with her, then in such a situation Priya was to take the keys of her office *almirah* given to her, open it and hand over the contents therein to Kamini's parents. The investigation then led to Kamini's parents who revealed the contents of the file to be a list of all of Kamini's important documents such as her will, bank deposit receipts etc. one of such documents consisted of the financial transactions of Kamini with other people.
13. On the basis of this document the police established that Neha was the only person with the strongest motive to eliminate Kamini. When the police reached Neha's apartment on 08/10/2005 in order to take Neha into custody for questioning they discovered that the flat was locked and Neha and Pankaj were both absconding. The police then took their domestic help, Aloknath Kale into custody for questioning. It was during this interrogation that they found out that Neha and Pankaj had gone to Mysore on 06/10/2005. Effort was made to reach them but they constantly remained unavailable.
14. On 09/10/2005, after several hours of questioning Aloknath and pressurizing him, Aloknath confessed to the police that he had helped Neha and Pankaj strangulate Kamini on 09/09/2005. He added that while Neha strangulated Kamini, Pankaj and he had pinned her down and they let go only once she had stopped moving. He then helped Pankaj wrap up the body in a carpet and load it in Kamini's car. They then

drove towards Malshej Ghats and at particular spot in the forest they dumped the body. He further added that he was willing to cooperate completely with the police in return for a lesser sentence. Alok Nath then told the police that he would take them to the exact spot where the body had been buried.

15. As per the information provided by Alok Nath Kale, on 10/10/2005, the police arrived at the Ghats where the body was alleged to have been dumped by the accused. The police were guided to the exact spot by Alok Nath. The forensic team dug up the area and retrieved the highly decomposed body of a female in her mid-thirties. There was jewellery worn by her which was sent for identification. The body was sent to Sassoon Hospital, Pune for a post mortem which concluded that the death was an unnatural death due to asphyxiation caused by the fracturing of the hyoid bone. The hair on the decomposed body was extracted and was then sent for a DNA analysis. Upon comparison with a sample taken from Kamini's hairbrush, it was concluded beyond doubt that the body was that of Kamini. The level of decomposition suggested that she had been dead for around one month.
16. Taking into consideration the statement of Alok Nath, the forensic evidence and the circumstances surrounding the disappearance of Kamini on the night of 09/09/2005 and her subsequent murder, a First Investigation Report was filed on 10/10/2005 against Neha, Pankaj and Alok Nath for murder of Kamini Karia. A team of policemen went to Mysore on 13/10/2005 and arrested Neha and Pankaj and escorted them back to Pune. A charge sheet was then prepared on 04/11/2005 in which each of the accused was charged under the relevant provisions.
17. The charge sheet was filed by the police on 07/11/2005 and the trial was conducted by the Hon'ble Sessions Court of Pune at Pune. On the basis of the witness testimonies and the evidence in the case, the Hon'ble Sessions Court acquitted Accused No. 1 Neha Mittal, Accused No. 2 Pankaj Mittal and Accused No. 3 Alok Nath Kale. The Judgment was passed on 30/12/2015. All the three accused

named have been set free. Aggrieved by this order, the State has preferred an appeal before the Hon'ble Bombay High Court at Mumbai and the same is pending hearing.

Argue the case on the basis of the given facts either on behalf of the Prosecution or the Defense.



**FIRST INFORMATION REPORT**  
(u/s. 154 of CrPC)

**1. District: Pune; PS: Kondhwa; Year: 2005**

**2. FIR No: 172/2005**

**3. Date of occurrence: 09/09/2005**

**4. Acts:**

- i. Neha Mittal, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.
- ii. Pankaj Mittal, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.
- iii. Aloknath Kale, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.

**5. Occurrence of Offence:**

**Day:** Friday.

**Time:** Approximately 9 PM.

**6. Information recorded at PS: Date-10<sup>th</sup> October, 2005; Time: 04:20pm**

**7. General Diary Reference Entry No. 7 of 10<sup>th</sup> October, 2005**

**8. Information recorded by: Head Constable Shivam Advani**

**9. Type of information: Personal**

**Written/Oral: Oral**

**10. Place of occurrence: # D-17, Citadel Towers, N.I.B.M Road.**

**Distance from Police Station - 2.1 km West.**

**11. Informant Name:** Investigating Officer Jai Singhania

**Nationality:** Indian

**Occupation:** Investigating Officer

**12. Details of Known/ Unknown/ Suspected/ Accused with particulars:** Suspected persons

i. Mrs. Neha Mittal, Age 33, D/o Mr. Yash Dasgupta

Occupation: Business, Herbs & Spices Catering Co., Wanowrie, Pune.

ii. Mr. Pankaj Mittal, Age 37, S/o Mr. Mohil Mittal

Occupation: Service, Zebtec& Solutions, Pune.

iii. Mr. Aloknath Kale, Age 28, S/o Mr. Maruti Kale

Occupation: Domestic help

**14. Particulars of injuries sustained:** None

**15. Date and time of dispatch to the Court:** 31<sup>st</sup> October 2005, 11.35 a.m.

**16. FIR Contents –**

On 10/10/2005, a dead body of an unidentified female was recovered based on a confession of Mr. Aloknath Kale. The same was sent for a post mortem and a few hair samples were sent for DNA testing to determine the identity of the deceased. The Post mortem report dated 10/10/2005 concluded that death was due to asphyxia by strangulation which suggests death due to unnatural causes. As per the confession of Mr. Aloknath kale, a complaint against Mrs. Neha Mittal and Mr. Pankaj Mittal has been registered.

**17. FIR read to the complainant/ informant, admitted to be correctly recorded and a copy given to the complainant/ informant free of cost.**

**18. Signature/thumb impression of Complainant/ Informant:** Mr. Jai Singhania

**Signature of Officer-in-charge, Police Station:**

Sd/-

DamodarShinde

(Senior Police Inspector)

**POST MORTEM REPORT**

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**Post Mortem Report No.** 1727

**Date and Hour of Receipt of Inquest Paper and Dead Body:** 10<sup>th</sup> October, 2005 at 2.15 PM

**Date and Hour of Starting Autopsy:** 10<sup>th</sup> October, 2005, 04:30 PM

**Date and Hour of Concluding Autopsy:** 10<sup>th</sup> October 2005, 9:15 PM

**Body Brought and Identified by:** Inspector Jai Singhania. Still unidentified

**SCHEDULE OF OBSERVATION**

**A- GENERAL**

1. **Name:** Unknown
2. **Age:** Approximately 40 years. **Sex:** Female
3. **Address:** Unknown
4. **Height:** 160cm **Weight:** Unknown **Physique:** Normal.
5. **Special Identification Features (in an Unknown Body):** Presence of a mole behind the right ear.
6. **Post-mortem Changes present:** There is putrefaction of the body. Body is already in a state of decomposition. Skeleton visible with muscle still attached to it.
7. **Injuries:** Presence of two fractures.

**B-EXTERNAL EXAMINATION**

The body is that of an adult female measuring 160 cm and weight, not possible to determine. The body is normally developed and consistent with the given age of approx. 40 years. The scalp is round. The nose is long. The tongue is protruding out. Total numbers of teeth present is 30 and are white. The ears are small in size.

The scalp hair is black and scanty but long with a few streaks of bronze colour. There is no facial hair. The body does not have identifiable eyes. The mouth contains natural teeth. The ears, nose and mouth show no abnormalities. The neck is of normal configuration and there are no palpable masses. The extremities are symmetrical and normally developed.

There is no evidence of emergency medical intervention.

### **C-INTERNAL EXAMINATION**

The organs have already decomposed to a great extent and are in the stage of an advanced decay.

**Head and Neck:** No visible injury to the skull but the hyoid bone in the neck is fractured.

**Cardiovascular System:** Already in a state of decomposition.

**Respiratory System:** Already in a state of decomposition.

**Digestive System and Liver:** Already in a state of decomposition.

**Genitourinary System:** Already in a state of decomposition.

### **D- EVIDENCE OF INJURY**

#### **1. Head and Neck**

Wound no. 1 is a fracture to the hyoid bone. The wound is located on the neck.

#### **2. Superior Region**

Body severely decomposed to determine presence of any injuries in the superior region.

#### **3. Inferior Region**

Wound no. 2 is a hairline fracture on the tibia (Medial Malleolus) of the left ankle. It is a minor stress fracture. There is formation of new tissue around the wound, indicating that it is an old injury.

Wound no. 1 is caused by unnatural causes whereas Wound no. 2 is natural. Wound no. 1 is caused due to an external force or pressure upon the neck.

### **D- SPECIMEN COLLECTED FOR TOXICOLOGICAL ANALYSIS: None**

**F- TIME SINCE DEATH:** Taking into consideration the level of decomposition and the surrounding in which the body was placed in, approximately 4-6 weeks have passed since the death of the victim.

**G- OPINION:** Even though there are multiple injuries on the body, only the fracture of the hyoid bone was lethal enough to cause death. The cause of death to the best of my knowledge and belief is asphyxia due to strangulation.

On 10<sup>th</sup> of October, 2005 at Sassoon Hospital, Pune

**Signature:**

**Name and Designation: Dr. Mugdha Shah**  
**Dr. Aamer Chabbria**



## STATEMENT OF WITNESSES

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### **NEHA MITTAL (Accused no. 1)**

I am Neha Mittal, 33 years of age, married to Mr. Pankaj Mittal. I have a degree in Bachelor of Science (B.Sc) in Hospitality and Hotel Administration from Institute of Hotel Management, Catering Technology and Applied Nutrition, (IHM) Goa. I run a successful catering business by the name of 'Herbs & Spices Catering Co.'. I am Kamini's cousin. News of Kamini's death has really left me shaken.

Kamini and I grew up together. We were inseparable as children and even though priorities changed as we grew up but the bond of sisterhood kept growing stronger. No one knew me and understood me better than Kamini. She had always been there by me through thick and thin. When she got married to Nishant I was genuinely and truly happy for my sister. We continued to keep in touch and made sure we met regularly.

Yes, there have been several monetary transactions but we ensured that whenever either of us borrowed money from each other, we paid it back as soon as possible. There have been numerous instances when Kamini had also borrowed money from me. This was back when she was an associate at Hobb& Green - Attorneys and Nishant *jiju's* business was just starting to pick up. In one such incident, I had lent money to Kamini as she needed it to make a down payment on the house she was currently living in.

I would never even imagine hurting Kamini, let alone murdering her, that too for a silly debt. The police have made a big mistake by arresting my husband and me. I was supposed to meet Kamini on 09/09/2005. We were going to have dinner together and I was going to talk to her about my catering business. I was going to request her to consider my catering services for their upcoming office event. I waited till 9:30pm but she never turned up. I tried to call her quite a few times but her cellphone was switched off. I thought she was busy with work so I had my dinner and went to bed.

At around 12:20 am Nishant jiju called me up and he asked me whether Kamini was at my residence. I told him that she had not yet come. He then told me that Kamini had not yet returned home, he seemed very worried and on hearing this I too had started to get a little anxious. I tried her cellphone once again but it was switched off. I could not sleep so I watched Masterchef Australia for

a while. Then again at around 12:45 am Nishant *jiju* called me up and asked me to come to *Chachaji's* residence in Viman Nagar, Pune. So I rushed there immediately.

Everyone had gathered there and was worried for Kamini. They decided to file a missing person's report with the police but I convinced them not to as it was very much possible that Kamini could have been stuck in some important work or meeting in office. She had been made a partner recently and so her responsibilities had increased. There was nothing to panic about and it was not advisable to involve the police in this unnecessarily right now.

After the complaint was even filed, I was questioned by the police and I told them everything I knew. I was with the family constantly and even tried to follow up on the case with the police. After that, my father-in-law suddenly fell ill so we had to rush to Mysore to be with the family. On 10/10/2005 I then received the news that Kamini's body had been discovered. I was shocked and extremely overcome with grief. I could not believe that my sister was no more. It was the worst day of my life.

I had not even recovered from this shock that the police showed up at our doorstep and arrested my husband and me saying that we had murdered Kamini! This was absolutely ridiculous!

I loved Kamini and could never hurt Kamini. The police have made a huge mistake.

**PANKAJ MITTAL (Accused No. 2)**

I am Pankaj Mittal, 36 years of age, married to Neha Mittal. I have a Bachelor's Degree Business Administration from Welinkar Institute, Mumbai. I am the Assistant Manager at Zebtec & Solutions, Pune. I am Kamini's brother-in-law. This tragedy has really come as a great shock to our entire family.

Kamini and my wife were extremely close to each other. They would often visit each other. There were several instances when Kamini along with Nishant would come to our residence for a meal and we would talk endlessly for hours together. It was the same when we would visit them. Family relations were very good between us.

I remember that on 09/09/2005 Neha invited Kamini over. This was to be a usual meeting between the two. But Kamini never visited so we had dinner and Neha went to bed. I went out to visit one of my friends, Vedant Khanna. It got really late so I slept over at his place and the next day when I returned home Neha told me that Kamini was nowhere to be found. Naturally we were all a little worried but I did not think much into it and continued with my day.

I was also questioned by the police and I told them everything they wanted to know. I cooperated fully with the investigation. We all just wanted Kamini to come back home safely. After this, on 06/10/2005 my father suffered a paralytic stroke due to which Neha and I rushed to Mysore. I was worried about the well-being of my father.

We then received news that on 10/10/2005 Kamini's body had been recovered. I was shell-shocked. I was trying to console my wife who felt so very sad and broken on receiving the news of her death. We were also informed that the death was a murder.

Out of the blue on 13/10/2005 the police just showed up at my parent's doorstep in Mysore and arrested Neha and me. I am so confused at all of this. Why have the police arrested us? Shouldn't they be looking for the one who murdered Kamini? Everything is just going horribly wrong. First my father falling ill and then this arrest.

**ALOKNATH KALE (Accused no. 3)**

My name is Aloknath Kale. I am 28 years old. married to Vimal. I am 10<sup>th</sup> pass so English of my is bad. I working at Neha and Pankaj *sahibs* house for past 3 saal. I am poor man. I have 3 children Laxmi, Pandurang and Suresh.

I know Kamini madam because she coming to *sahibs* home lots to meet Neha madam. Whole family meeting especially on Sunday so extra work for me that day but I get extra payment from Nishant sahib. Very nice peoples everyone. They also supporting English medium education of my childrens.

Inspector sahib, I don't want to go to the jail. I am only earning member in my house. My children will remain hungry if I go to jail. I will tell you everything if you promise to forgive me. I did a very wrong thing because Neha Madam promised me lots of money if I help her and did not tell anyone about what happened on 09 *sitambar* 2005.

Sir, that night I working till late. Neha madam told me that she give me a lot of money if I helping her with something. I said yes because I getting lot of money but I did not know what madam want. Pankaj sahib then took me to the terrace during morning and telling me that they are planning to murder Kamini madam. I shocked very much and don't want to be a part of it. I scared but Pankaj sir told me that they would finish my family if I not listening to him. I agree because of this.

Later that night Kamini madam coming to meet Neha madam at 8:00 *baje*. Kamini madam came home. I gave glass of juice with a tablet that Pankaj sir gave me. Madam drank it and she started getting *chakkar*. Neha Madam started pressing the neck of Kamini madam. She began to moving like dying fish so Pankaj sahib asked me to hold Kamini madam legs. Kamini madam stopped moving after some time. I knew she was dead. She was not breathing. I was feeling very scared. Pankaj sahib then told me to bring the carpet from the storage.

I then wrapped up Kamini Madam's body in it and then Pankaj sahib and I took it down, put it in madam *ke gadi ka diki* and sahib asked me to drive towards Nashik. So I started driving. Sahib did not tell me where we were going. After driving for around three hours we reached a ghat which I remember was Malshej ghat. We took left turn on a *kaccha rasta* and I kept driving. We then went to forest like area where sahib asked me to dig a big hole, to throw the body inside the hole and to cover properly it with *mitti*. It was very dark and I was feeling very scared.

After we had buried the body in the forest area, *sahib* told me to start driving again and go Nashik highway. Near highway *sahib* telling me to stop and starting to cleaning the car. After cleaning car we started walking on highway. A truck driver agreed to give us a lift till Pune for some money which *sahib* paid. We reached home next morning and *sahib* telling me go home and to not talk anything about what happened yesterday. I was very scared. I promised to not say nothing because I would go jail and *sahib* would hurt my family.

I am really very scared and I don't want to go to jail. Please forgive me lots.



### JAI SINGHANIA – Investigating Officer

I am Jai Singhania, age 45 years; I am the Investigating Officer in the present case. I cleared the CGPE examination in the year 1995. I was put in charge to this case on 12/09/2005, after the missing person's complain was registered on 11/09/2005 at the Kondhwa Police Station, Pune. I have dealt with several cases of this nature.

The investigation first started with the questioning of Nishant Karia, deceased's husband. He was a suspect at first but was ruled out at the very beginning once he gave his alibi. He mentioned that the last conversation he had had with Kamini was when she had called him up to tell him that she had left from office and was heading towards Neha's residence. The investigation then was taken forward and her cousin Neha Mittal and her husband Pankaj Mittal were questioned. They were being evasive and scared but did not seem to be the suspects at the first instance. They denied the fact of Kamini visiting their residence that night.

I then visited Kamini's parents who told us more about Kamini's relations with Neha. They also mentioned that the families were close since they had both grown up together. We were also told that since Kamini had recently been promoted, she would end up spending long hours in office, often working till late. They further added that Kamini was a good person and had never gotten into any trouble. She was very helpful and was always willing to go out of the way for anyone who needed help.

The investigation then led to the office of Kamini, Hobb & Green – Advocates. There we questioned her secretary Mrs. Priya Kapoor. She told us about Kamini's daily schedule and about how Kamini would stay till late finishing up on work. She then told us about a specific incident with regard to the *almirah*. She then opened it in front of us and handed over the contents to Kamini's parents who then showed it to us. In it were all the financial details of Kamini, her will and a few other documents. After processing these documents we discovered that Neha and Pankaj owed a huge sum of money to Kamini.

My team and I went Neha's house. They had absconded but, Alok Nath Kale, their domestic help was at their residence. We sensed fear on Alok Nath's face when we reached the Mittal's residence. Alok Nath was taken into custody for questioning. After several hours of questioning, he finally

agreed to disclose the events of that night in bargain for a lesser sentence. All legal procedures were followed in order to record his statement.

He started by saying that he regretted his actions and wondered why he fell into trap for the sum of money that had been promised to him. He stated that, on the night of 09/09/2005 he was asked to stay for longer. All the instructions for that night were given to him by Pankaj. He said that Kamini came to their residence by 9 pm. Aloknath then served Kamini a drugged glass of juice as instructed by Pankaj. Soon Kamini was unconscious and this was when Neha strangled Kamini by her neck while Pankaj and he held her. Soon he was asked to get the carpet from the other room and Kamini's body was wrapped in it.

Then he along with Pankaj, took the wrapped body, put it in the boot of the car and started driving as per the instructions of Pankaj. While they were driving along the Pune Nashik highway they reached a region called the Malshej Ghat where he and Pankaj buried the deceased's body. After burying the body, they started driving and after a few kilometers they stopped to clean the car. Another few kilometers ahead Pankaj decided to abandon the car. It was already the dawn of 10/09/2005 when Pankaj and Aloknath returned to Pune.

As per the information revealed by Aloknath, we headed towards Malshej Ghat. We reached the exact spot where Aloknath alleged to have dumped the body. After the team dug up the area, we recovered the decomposed body of the deceased. A spot panchnama, inquest panchnama was done and the body was subsequently sent for post mortem. In the mean time, a FIR was registered against Neha and Pankaj for the murder of Kamini.

The post mortem report dated 10/10/2005 revealed the body to be of a woman who had died due to asphyxia by strangulation. The hair on the scalp was then sent for DNA testing. The DNA report dated 14/01/2005 confirmed the identity of the deceased to be that of Kamini.

Aloknath also disclosed that the Mittal's had left for Mysore on 6/10/2005. This is when my team and I travelled to Mysore and arrested the Mittal couple by 13/10/2005.

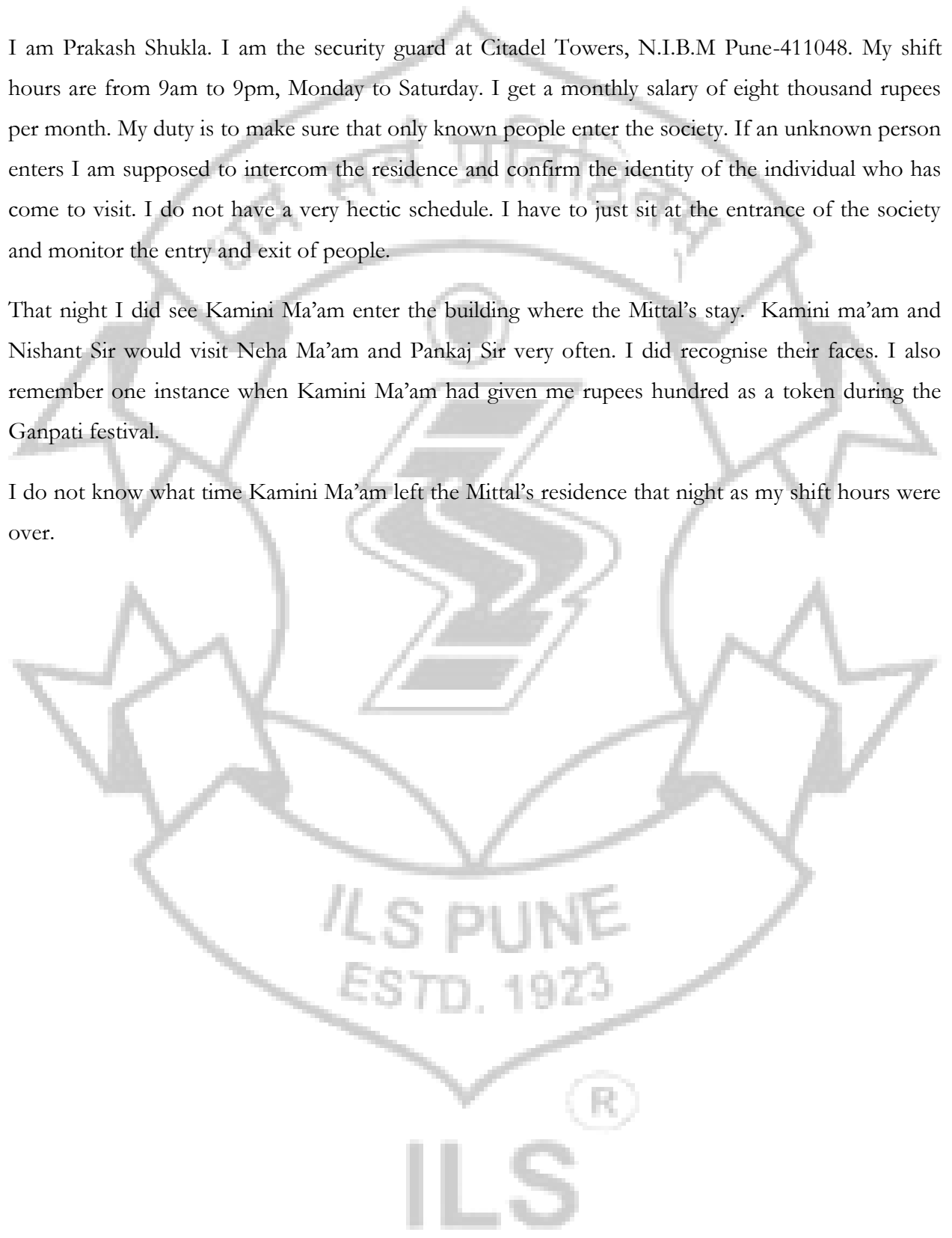
The Mittal's have always denied to have murdered Kamini and have continued to say that Kamini never visited them that night.

**PRAKASH YADAV - Watchman**

I am Prakash Shukla. I am the security guard at Citadel Towers, N.I.B.M Pune-411048. My shift hours are from 9am to 9pm, Monday to Saturday. I get a monthly salary of eight thousand rupees per month. My duty is to make sure that only known people enter the society. If an unknown person enters I am supposed to intercom the residence and confirm the identity of the individual who has come to visit. I do not have a very hectic schedule. I have to just sit at the entrance of the society and monitor the entry and exit of people.

That night I did see Kamini Ma'am enter the building where the Mittal's stay. Kamini ma'am and Nishant Sir would visit Neha Ma'am and Pankaj Sir very often. I did recognise their faces. I also remember one instance when Kamini Ma'am had given me rupees hundred as a token during the Ganpati festival.

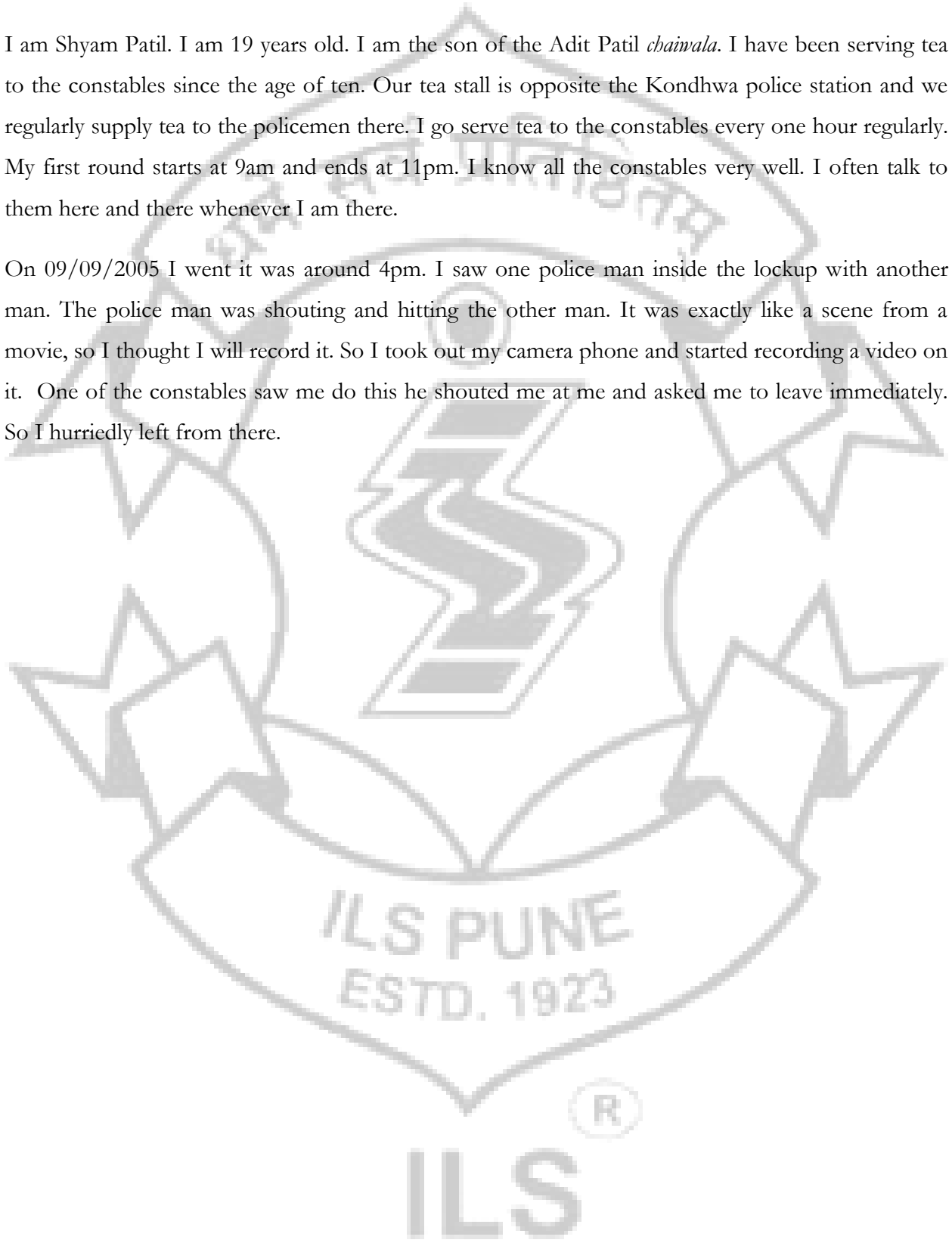
I do not know what time Kamini Ma'am left the Mittal's residence that night as my shift hours were over.



**SHYAM PATIL - Chaiwala**

I am Shyam Patil. I am 19 years old. I am the son of the Adit Patil *chaiwala*. I have been serving tea to the constables since the age of ten. Our tea stall is opposite the Kondhwa police station and we regularly supply tea to the policemen there. I go serve tea to the constables every one hour regularly. My first round starts at 9am and ends at 11pm. I know all the constables very well. I often talk to them here and there whenever I am there.

On 09/09/2005 I went it was around 4pm. I saw one police man inside the lockup with another man. The police man was shouting and hitting the other man. It was exactly like a scene from a movie, so I thought I will record it. So I took out my camera phone and started recording a video on it. One of the constables saw me do this he shouted me at me and asked me to leave immediately. So I hurriedly left from there.



**PRIYA KAPOOR (SECRETARY)**

I am Priya Kapoor, 30 years of age, married to Yash Kapoor. I have an M.com degree from Vaidya College, Pune. I am the personal secretary to Mrs. Kamini Karia since the past two years. She was a very nice and inspiring woman. Everyone in office looked up to Ma'am for her professional and ethics. I am shocked at the news that Kamini Ma'am is no more.

A usual day in office would involve Ma'am coming in by 10:00am. Ma'am had a lot of responsibilities and this prevented her from having a fixed time to leave. There were some days where Ma'am would end up staying late in the night till around 12:30am. There were times when Ma'am would get so busy that she would even forget to have her meals.

Ma'am and I did not speak much regarding personal matters but this one day, I remember clearly. Ma'am asked me to come into her cabin and handed me a key. She said that this was the key to her *almirah* and in case Ma'am did not come to office for more than four days and if contact could not be established with her, I was to open the *almirah* and inside would be a green coloured folder. I was to hand this folder over to Ma'am's parents.

I was a little confused about this but since they were instructions from Ma'am, I agreed to it. So when Ma'am was not to be found and could not get in touch, I did not open the safe immediately. Instead I chose to wait hoping that Ma'am would come back. But when the police showed up and were inquiring about Ma'am, that's when I told them about the *almirah*. I then handed the folder to Ma'am's parents.

I don't know what was there inside but I hope Ma'am is found at the earliest.

## **NISHANT KARIA (HUSBAND)**

I am Nishant Karia, 38 years of age, married to Kamini Karia. I have a MBA Degree from Xavier School of Management (XLRI), Jamshedpur. I run a successful chain of breweries established in various cities in India. Kamini was the love of my life and together we had a son named Aaryan. Her death has really left me shattered and broken. I don't know how am I going to cope up with her loss but I have to for the sake of my son.

We had been happily married for the past twelve years. Getting married to Kamini was the best thing that had ever happened to me. It was after our marriage that my business really started flourishing. It was like the Goddess Lakshmi had entered our home in the form of Kamini. Everyone in my family absolutely loved her. My parents treated her like their own daughter. Everything was just perfect and it seemed like nothing could ever go wrong.

Since the beginning of our marriage, Kamini had stayed in touch with her cousin Neha. We would visit them often and spend the day with them over meals and just talking endlessly. Neha and her husband Pankaj were really nice people and we quite enjoyed their company. There were several times when Kamini lent money to Neha for her catering business. I did not mind considering the fact that they were sisters and that both of us were doing well.

We had a disagreement and argument regarding this once. I felt that since Neha was not returning our money, we should not lend her more till we recovered what was due. But against my better judgment, and out of the sweet and loving nature that Kamini had, she lent Neha a huge sum of thirty lakhs. Months passed but there was again no sign of her paying us the money back. But one day, on 09/09/2005, while I was out for a meeting, Kamini got a call from Neha asking her to meet her.

Kamini called me up on her way to meet Neha and that was the last I heard from her that night. I tried to get in touch with her frantically but I failed. Then I lodged a missing person's complaint and the investigations revealed that Kamini was murdered and that Neha and Pankaj were the murderers. I do not know how to react to this sort of a turn of events. I am absolutely gob smacked.

Kamini was a very gentle and kind person who could not bear to see someone in need of help. She always wished the best for everyone around her. I don't know why someone would commit such a heinous act against such a nice person. What is unbelievable is that Neha and Pankaj could have

done such a thing. I'm just so very confused about what is going on. My whole world is falling apart. I still don't believe that Neha and Pankaj murdered my Kamini but the police say that the evidence against them is strong. The circumstances were such that it strongly points to the fact that Neha and Pankaj are in fact the murderers.

I don't know what more to say. I just want justice to be served. Whoever is responsible for the death of my wife should be severely punished.



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**CHARGESHEET**

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(u/s. 173 of CrPC)

**District:** Pune

**Police Station:** Kondhwa

**FIR No.** 172/2005 **Date:** 04/11/2006

**Chargesheet No:** 12/2005

**Nature of information:** FIR registered by Head Constable Shivam Advani.

**Whether any offence appears to have been committed and, if so, by whom:**

Yes. Murder in pursuance with criminal conspiracy, common intention and destruction of evidence.

**Chargesheet Against:**

- i. Neha Mittal, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.
- ii. Pankaj Mittal, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.
- iii. Aloknath Kale, u/s. 34, 120A, 120B, 201, 300 and 302 of the Indian Penal Code.

**Findings of the Investigation:**

1. On 11<sup>th</sup> September, 2005, Mr. Nishant Karia approached the Koregaon Park police station and registered a missing person's complaint stating that his wife, Mrs. Kamini Karia had not returned home on the night of 9<sup>th</sup> September, 2005 and no contact could be established with her inspite of repeated attempts. The police then commenced the investigation into the complaint.
2. After questioning several people, the police could not determine the whereabouts of Mrs. Karia but Aloknath Kale was taken in for questioning and he confessed to murdering Mrs.

Karia along with Mrs. Neha Mittal and Mr. Pankaj Mittal. Being the Investigating officer, I recorded this confession and based on the information given to me, I directed further action.

3. We were then led to the exact spot on 10<sup>th</sup> October, 2005 where Mr. Pankaj and Mr. Aloknath claimed to have buried the body of Mrs. Karia. We dug up the spot and recovered the decomposed body. We seized the jewellery on the body and sent the body to Sassoon Hospital for a post-mortem. Here, the identity of the corpse was confirmed to be that of Mrs. Karia on 15<sup>th</sup> October, 2005 when the DNA reports confirmed the same.
4. Based on the confession of Mr. Aloknath and the evidence gathered during the course of the investigation, we then arrested Mrs. Neha Mittal and Mr. Pankaj Mittal on grounds of murder.
5. In light of the aforementioned facts and circumstances, the offences as charged herein have been made out against the accused the three persons.

**Particulars of the Accused:**

Sr. No.	Name of the Accused	Status
1.	Mrs. Neha Mittal	In custody
2.	Mr. Pankaj Mittal	In custody
3.	Mr. Aloknath Kale	In custody

Sd/-

Jai Singhania

(Senior Police Inspector)

Investigating Officer

CCTV Footage at Toll Naka



## DNA ANALYSIS REPORT

DNA CASE No. 125/2005

Date: 14/01/2006

Complaint No. 64

Victim: Unknown

Investigating Officer: Jai Singhania

Offence: Murder

Police station: Kondhwa

### Evidence submitted for DNA analysis:

1. Q-23: Strand of hair from the dead body of an unidentified female
2. Q-23(1): Strand of hair of Unidentified female from Hairbrush

### DNA EXAMINATION

Amplification of extracted DNA from the above evidence was performed using the Polymerase Chain Reaction (PCR) and profiled at the following STR Loci (Locus abbreviations used in this report are noted in parenthesis): TPOX, D8S1179 (D8), D21S11 (D21) (STR Locus on the X female chromosome), X Indel (a X insertin/deletion locus).

### PRESERVATION OF SAMPLES

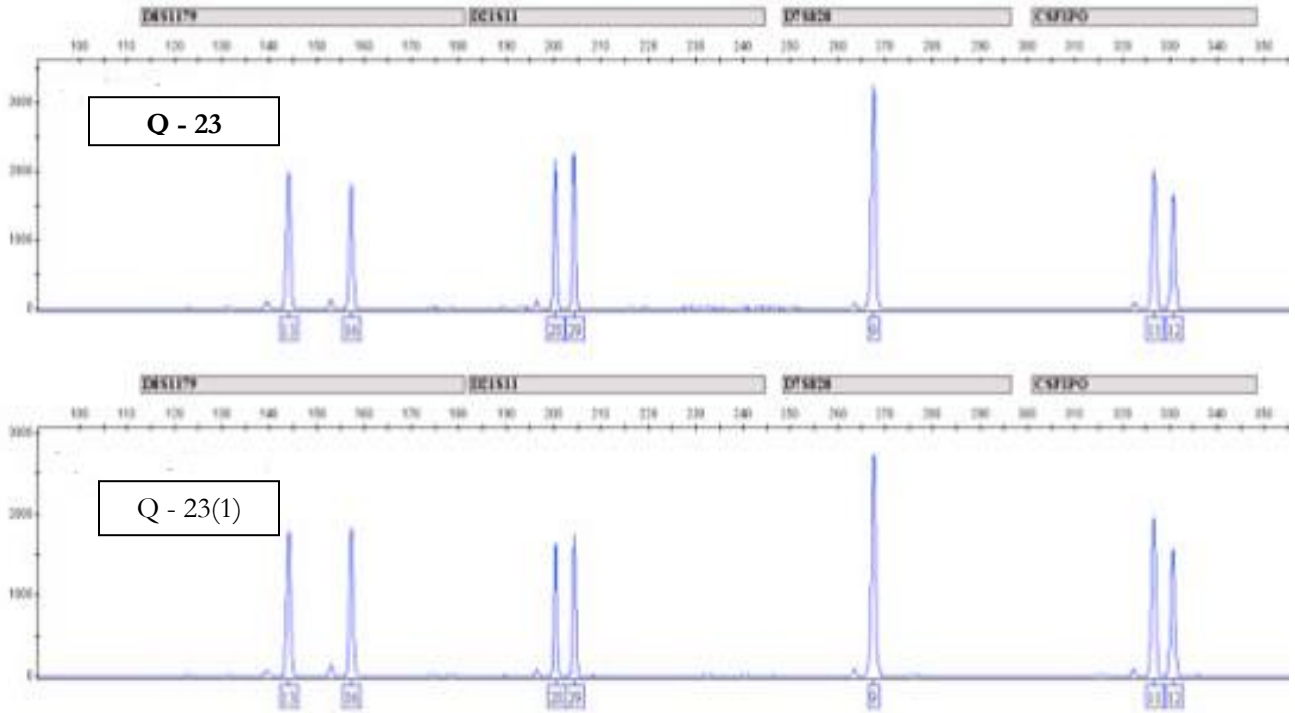
The remaining portions of the above evidence and a portion of any remaining extracted DNA that may still exist are being preserved in this laboratory for any additional tests that may be requested in the future.

### RESULT OF ANALYSIS AND CONCLUSION

The DNA results obtained from Q-23 are consistent with belonging to a female. This profile can be separated into a major component profile consistent with the sample obtained from the hairbrush (Q-23(1)) of the deceased. They are a perfect match. Hence, there is no doubt in concluding that the two hair samples obtained belong to the same individual.

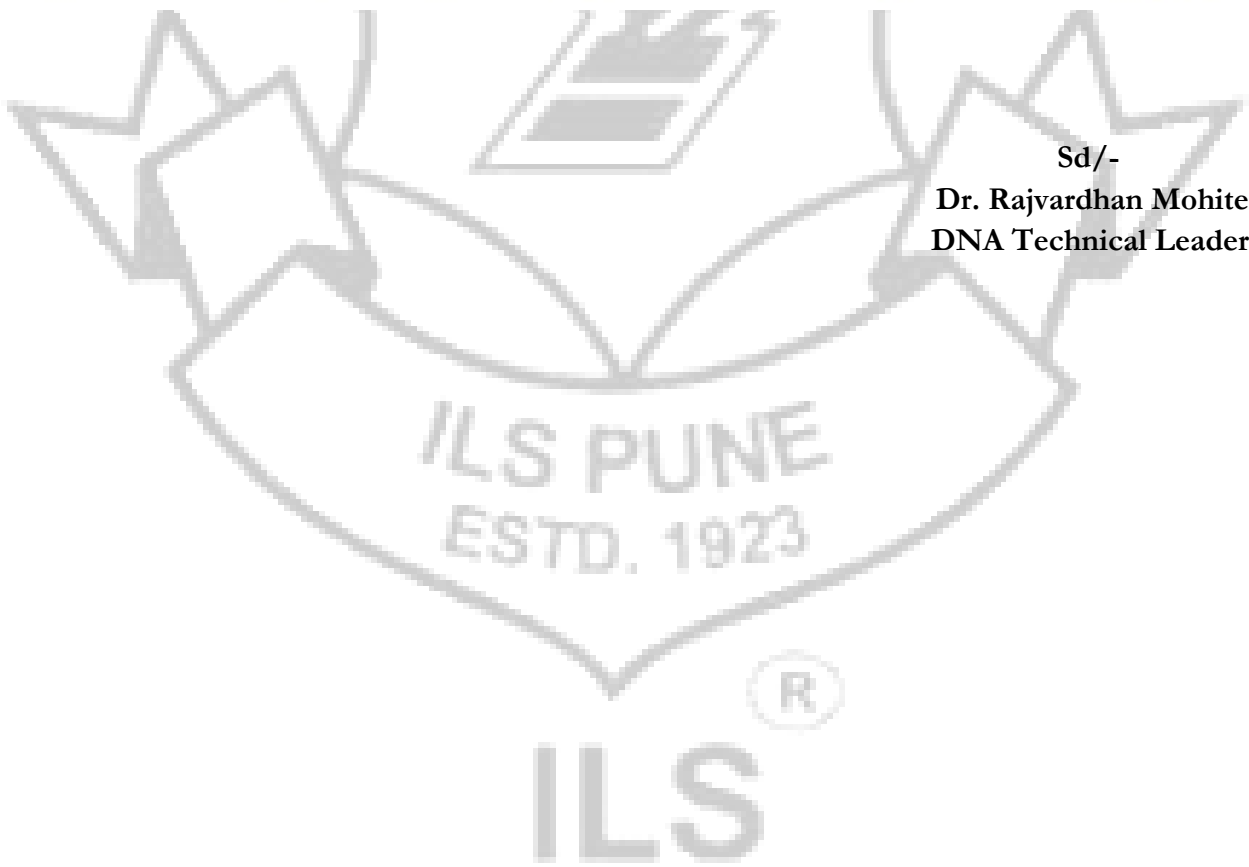
The following is the reproduction of the DNA Analysis.

Match between two single source profiles



Sd/-

Dr. Rajvardhan Mohite  
DNA Technical Leader



Received on: 12.02.2006  
Registered on: 17.02.2006  
Decided on: 30.12.2015

**IN THE COURT OF SESSIONS PUNE, AT PUNE**

**SESSIONS CASE NO. 37 of 2006**

**The State of Maharashtra**

**...Complainant**

**V/s**

**1. Neha Pankaj Mittal.**

Hindu Adult, Aged 33 years,  
Occupation: Business,  
Residing at # D – 17 Citadel Towers,  
N.I.B.M. Road, Pune 411048

**2. Pankaj Phunsukh Mittal**

Hindu Adult, Aged 37 years,  
Occupation: Service,  
Residing at # D – 17 Citadel Towers,  
N.I.B.M. Road, Pune 411048

**3. Aloknath Maruti Kale**

Hindu Adult, Aged 28 years,  
Occupation: Domestic help,  
Residing at Mamtawadi,  
Pune 411048 **...Accused**

**Mr. Dixit A.P.P. for the State.**

**Mr. Khan, Advocate for Accused.**

**PRESIDED OVER BY: H.H.THE ADDITIONAL SESSIONS JUDGE**

**P.F.Deshpande (C.R.NO.11)**

**DATE: 30<sup>th</sup> December, 2015.**

1. Accused is prosecuted for offence punishable under Section 34, 120 A & B, 201, 300 and 302 of the Indian Penal Code.

2. Case of Prosecution in short is as under:

That on 09/09/2005 deceased was to meet accused no.1 at her residence in Citadel towers, Pune. The deceased then disappeared and was not heard of by her family. A missing person's complaint was lodged on 11/09/2005 by the husband of the deceased. Thereafter, an investigation was set in motion by the police. Subsequently accused no. 1 and 2 were arrested 13/10/2005. Police have produced the charge sheet after the completion of the investigation. The dead body of the deceased was recovered on 10/10/2005. Post mortem report dated 10/10/2005 established that the deceased had been murdered. The DNA report dated 14/01/2006 established the identity of the deceased to be Kamini.

3. Charges came to be framed against all the accused viz. accused no. 1,2 and 3. Accused no. 1 and 2 have pleaded not guilty and claimed to be tried. Whereas, accused no. 3 has pleaded guilty and has assisted the police in the course of their investigation for a lesser sentence.

4. Considering the facts of the case and arguments advanced, the following points arise for my determination and I have given my findings as follows:

<u>POINTS</u>	<u>REASONS</u>
I. Does the Prosecution conclusively prove that the accused committed murder of the deceased?	In the negative
II. Does the Prosecution conclusively prove that there existed common intent and criminal conspiracy between the three accused to commit murder?	In the negative
III. What order?	As per final order

## 5. REASONS:

### **AS TO POINT NO. 1, 2 and 3**

In order to prove their case, the Prosecution has examined three witnesses, namely:

- I. PW 1 – Aloknath Kale
- II. PW 2 – Prakash Yadav, Security Guard of Citadel Towers
- III. PW 3 – Jai Singhania, Investigating Officer

The Defense, in order to disprove the case of the Prosecution and to prove their case has examined three witnesses, namely:

- I. DW 1 – Neha Mittal
- II. DW 2 – Pankaj Mittal
- III. DW 3 – Shyam Patil, tea delivery boy

The Defense Counsel has admitted the documents produced by the Prosecution along with a list u/s 294 of the Code of Criminal Procedure, 1973. The documents admitted are:

- I. Inquest Panchnama
- II. Spot Panchnama
- III. Post mortem Report
- IV. Arrest Panchnama

6. It is the case of the Prosecution that on 09/09/2005, Kamini Karia met Neha Mittal at her residence at 'Citadel Towers', Pune. Taking this into consideration, the Prosecution has argued that it was Neha Mittal (Accused no. 1) who was the last person to see the deceased alive and as a part of the circumstantial evidence, this proves that Accused no. 1 is most likely the one to have killed her. The Prosecution has adduced evidence from the mobile service provider of the deceased which shows that the deceased's cellphone was last active in the area of N.I.B.M Road. This makes it very likely that the deceased was last seen alive by the accused. The Defense has suggested in their cross examination that the deceased never made it to the home of the Accused no. 1 and 2. Thus, they have totally denied this incident.

7. The Prosecution on this count has examined PW 2 who is the watchman at the main gate of Citadel Towers. He gave the police access to the CCTV footage of 09/09/2005. The police then retrieved the relevant portion and sent it for processing. The CCTV footage along with the certification under Section 65B of the Evidence Act was also appended. It clearly depicts the entry of deceased into Citadel Towers. The deceased was also identified by PW 2 in his oral testimony recorded by the Investigating Officer (PW 3) and thus Prosecution has proved the fact of the Last Seen Theory.
8. Per contra, though last seen theory was proved but no clinching or cogent evidence has been brought on record regarding the exit of the deceased from Citadel Towers along with the accused. In furtherance, no explanation has been given by the Prosecution as to how the deceased and accused exited from the said complex. Thus considering this fact, the chain of events is not complete except for the last seen theory. On this basis, we cannot conclude accomplishment of the act as contemplated by the Prosecution.
9. There is a lot of room for doubt with regard to the events and circumstances surrounding the murder of the deceased. The Prosecution has failed to establish a clear chain of events in order to demonstrate through the last seen theory that no one else except the accused could have committed the murder. In such a situation the benefit of doubt has to be in favour of the accused.
10. The Prosecution has placed reliance on the witness statement of PW 1. In this regard, the Prosecution has examined the Investigating Officer (PW 3). The investigating officer in-charge of this case has deposed that during the course of this investigation, he had taken PW1 into custody and taken down his statement in accordance with the law. He has stated that during the course of interrogation PW1 willingly agreed to disclose the modus operandi of the commission of the offence on 9/9/2005. He stated that a deal was then made wherein PW1 was to disclose all the details for a lesser sentence.

11. PW3 has stated that he then recorded all the details regarding the events of 9/9/2005. During this course PW1 disclosed how he was induced into committing the crime by Accused 1 and 2. He also claimed to have known the exact spot where the dead body of the deceased had been buried and offered to direct the police to that exact spot. PW1 also confirmed that the image captured by the CCTV camera at the toll naka on the Pune-Nashik highway was of PW1 and Accused no. 2 driving the car of the deceased with her body in the boot.
12. PW 1 has also admitted that after they had buried the body of the deceased in Malshej Ghat, they drove back to somewhere near the highway. They then stepped out of the car with an intention to abandon it. Before they left, they made sure to clean the car thoroughly so that no evidence is left behind linking them to the crime. This was the same car which had been recovered by the police, abandoned on Pune Nashik Highway. PW 1 confirmed it to be the same car.
13. Acting on this information, on 10/10/2005, the forensic team of the police exhumed the body and was sent for post mortem. The Post Mortem report confirmed death by asphyxia due to strangulation which suggests murder. It was found that the information given by PW1 is true and accurate. PW1 also disclosed that on the night of 6/10/2005 accused 1 and 2 had gone to Mysore.
14. The Defense counsel while arguing made a reference about the tea stall opposite to police station and his son (DW 3) who frequently visits the police station to serve tea. On the date of 09/10/2005, the fact that tea was served to the police station by DW 3 has been admitted during the cross examination of PW 3. The Defense has proved the presence of DW1 in the police station for serving tea at the same time when the statement of PW1 was being recorded. DW 3 has also identified the PW 3 as the officer who was interrogating PW1.
15. It is further established by the Defense that while DW1 was in the police station, he saw PW3 shouting at someone inside the lock up. It was at this time that he took out his cellphone and shot a video of what was happening there before he was spotted by one of the constables on duty and asked to leave. This video clip is

alleged to show the violent and illegal manner in which the PW1 was threatened and coerced to give his statement.

16. The Defense has argued that the statement of PW1 being relied on by the Prosecution was one that has been obtained by coercion and force and due to this it cannot be admitted as evidence. The Defense counsel has produced mobile phone video clip supported by a certificate u/s 65B of the Indian Evidence Act, 1972 that was taken by the DW1. However, the Prosecution has not disputed the authenticity of this clipping or challenged this technicality in cross examination.
17. After perusing the video and looking into the circumstances, I have no doubt that the said confession was not one that was willingly given by the PW1 but rather it has been coerced out of him to give such a statement. In such a situation, this witness testimony is tainted and cannot be relied on. The Defense has succeeded in establishing that the witness testimony cannot be this considered in view of its contradiction with law. Thus, no reliance is to be placed on the statements made by PW1.
18. Hence, in the light of the arguments advanced with regard to point no. 1, having heard both the counsels and appreciating the evidence on record I conclude that the Prosecution has failed to discharge its burden of proving the circumstances beyond doubt and the chain of events connecting the guilt is incomplete. The Defense has succeeded in establishing its case positively which has subsequently raised several doubts surrounding the events. In such a case, the accused have to be given the benefit of doubt. In view of this I answer issue no. 1 in the negative.
19. With regard to point no. 2, it is the case of the Prosecution that there was a common intent and a criminal conspiracy between Accused no. 1,2 & 3 to commit the aforesaid murder. Accused no. 1 & 2 are husband and wife and Accused no. 3 is their domestic help. The Prosecution has argued that all the three accused hatched a plan to murder the deceased and they did so on 09/09/2005. In support of this argument they have once again placed reliance on the testimony of PW1.

20. PW1 has given out details regarding the events leading up to the murder of the deceased on 09/09/2005. Upon being questioned by PW3, he has stated that he was offered a large sum of money in return for his help with the commission of the offence. This was a pre-planned event. Accused no. 1 and 2 had planned to kill the deceased and had also concluded the manner in which they would execute the plan. PW1 has stated that the deceased was first drugged and was then strangled so that there would be minimum resistance and that it would be quick and more efficient. The disposal of the body had also been planned beforehand. Right from getting the deceased to the apartment of the accused till the disposal of her body had all been planned well beforehand.

21. The Defense has put forward that there was no evidence to support this theory of the Prosecution and based merely on a suspicion, no accused should be convicted of such a serious offence. The Defense has put forward that the family relations between the two were good. Considering the fact that they were sisters and that they had grown up together, there was a special bond between the two. The Defense has also added that there was absolutely no motive for the commission of such an offense. In the absence of motive, the probability of the Accused committing the crime is low. Merely based on suspicion, however strong, a conviction should not be made.

22. Having heard the learned Advocates of the Prosecution and Defense, it can be concluded that in order to prove conspiracy or common intent there is hardly any direct evidence available. It has to be proved taking into consideration the circumstances and the behavior of the accused in those circumstances. But, the circumstantial evidence in the present case is so weak against the accused that it would result in a gross miscarriage of justice if they were to be convicted on the basis of such flimsy evidence.

23. The accused and the deceased were cousins. Defense has shown that the relations between both the sisters as well as the families were extremely good. In such a case, it is difficult to believe that in such a situation the accused would want to murder

the deceased. Circumstantial evidence by itself is a very weak piece of evidence and in the present case; the circumstantial evidence is not conclusive enough.

24. Therefore, it can be concluded that the Prosecution has failed to adduce any evidence to support its argument regarding the common intent and criminal conspiracy. The Prosecution has failed to conclusively prove that Accused no. 1 was the last person to see the deceased alive.

25. Due to these reasons, I am of the opinion that a conviction on the basis of such weak evidence cannot sustain. Thus, as for point no. 2, I answer in the negative.

26. Loss of human life is tragic and it's more so when he has been deprived of it by someone else illegally. But the criminal jurisprudence has laid down that "a hundred criminals might go free but an innocent should not be punished wrongly". Keeping in mind this timeless principle, in the present case there is a presumption of innocence in favour of Accused No.1, 2 and 3. Suspicion, however great it may be, cannot take the place of legal proof. A moral conviction however strong or genuine cannot amount to a legal conviction supportable in law.

27. There is no evidence against accused to bring home their guilt. Therefore, I find Point. No. 1 to 3 in the negative.

28. Point No. 3 – Considering the discussion as above. I pass following order.

**:ORDER:**

1. Accused No. 1 Mrs. Neha Mittal, residing at # D – 17 Citadel Towers, N.I.B.M Road, Pune 411048, is hereby acquitted of offences punishable u/s 34, 120A, 120B, 201, 300, 302 of the Indian Penal Code, 1860 and u/s 235(1) of Code of Criminal Procedure, 1973.
2. Accused No. 2 Mr. Pankaj Mittal, residing at # D – 17 Citadel Towers, N.I.B.M Road, Pune 411048, is hereby acquitted of offences punishable u/s 34, 120A, 120B, 201, 300, 302 of the Indian Penal Code, 1860 and u/s 235(1) of Code of Criminal Procedure, 1973.

3. Accused No. 3 Mr. Aloknath Kale, residing at Mamtawadi Pune 411048, is hereby acquitted of offence punishable u/s 34, 120A, 120B, 201, 300, 302, of the Indian Penal Code, 1860 and u/s 235(1) of the Code of Criminal Procedure, 1973.
4. Bail bonds of the accused stands cancelled. All the accused are set free at liberty.
5. Sessions Case No. 37 of 2006 is disposed off accordingly. The property recovered may kindly be disposed off after appeal period is over or if nobody claims after statutory period is over, it may be disposed off.

Date: 30/12/2015

PUNE

(P. F. Deshpande)  
Addl. Sessions Judge

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## INSTRUCTIONS

1. The Exhibits to the statement of facts are merely as a supplement to the facts. They are to be treated as correct and accurate. No team will be permitted to dispute/argue / challenge or raise any issues with regard to the contents of these annexure. Any team who fails to abide with this shall be disqualified on the spot.
2. For the purposes of this problem the inquest panchnama has been completed and is consistent with the findings of the post mortem report.
3. The participants will be provided with the video shot by Shyam Patil (*chailwala*). The video will be sent to the participants once we receive the scanned copy of the registration form.
4. Participants are expected and urged to have basic knowledge with regard to the procedure of criminal trial.

